

Party Name : ARUN SARKAR & ORS Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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Both the applications for grant of anticipatory bail are being disposed of by a common order since they arise out of one F.I.R. No.79 of 2015 registered with Amtali Police Station under Sections 498-A/494/34 of the Indian Penal Code (IPC).

Briefly stated, the allegations are that the complainant Smt. Pinki Sarkar filed a complaint to the Officer-in-Charge of Amtali Police Station. In this complaint, she alleged that she was married to accused Shibu Sarkar (petitioner in A.B. 56 of 2015). According to her, thereafter her husband and her in-laws tortured her by demanding money from her. Initially, her parents gave some money but later on, the accused even tried to kill her by pouring kerosene on her and setting her on fire. She thereafter went to her parent's house. A village meeting was conducted and thereafter she again went to her husband's house. However, the torture did not stop and in January, 2015 she was driven out of her matrimonial home and has been residing in her parents' home since then. This complaint was filed six months after the petitioner was allegedly driven out from her matrimonial home and the torture, if any, is more than six months earlier. Therefore, I feel that this is a fit case for grant of bail to the petitioner-husband Sri Shibu Sarkar in A.B. 56 of 2015 as well as to the parents-in-law Sri Arun Sarkar and Smt. Suchitra Sarkar and brother-in-law Sri Krishnadhan Sarkar who are the petitioners in A.B. 55 of 2015.

Accordingly, it is ordered that in the event of their arrest, the petitioners shall be enlarged on bail on their furnishing a bail bond in the sum of Rs.10,000/- (rupees ten thousand) with one surety each in the like amount to the satisfaction of the Arresting Officer subject to the following terms and conditions:-

- (i) That, the male petitioners namely Shibu Sarkar, Arun Sarkar and Krishnadhan Sarkar shall appear before the Investigating Officer at 11.00 a.m. on Monday (03.08.2015). They shall also appear before the Investigating Officer on every subsequent date for which a written notice is served upon them. Since petitioner Smt. Suchitra Sarkar is a lady, she shall, as far as possible, be questioned at her residence in the presence of a lady constable;
- (ii) The petitioners are further directed not to tamper with or in any manner influence the prosecution witnesses;
- (iii) The petitioners are further directed not to in any manner try to influence any of the prosecution witnesses;
- (iv) The petitioners are further directed not to cause any hindrance in the investigation;
- (v) The petitioners shall not leave Tripura without permission of the appropriate Court;
- (vi) In case, the petitioners violate any of the conditions or try to delay the trial, the prosecution shall be at liberty to apply for cancellation of bail.

On the petitioners filing application for supply of the copy on payment of appropriate fees, the copy of the same shall be supplied to the petitioners by tomorrow.